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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of David Foster et al

Examiner: Bui, Luan Kim

Serial No.: 10/069,081

Group Art Unit: 3728

Filing Date: 08/12/2002

For: Orthopaedic Bone Cement Mixing Container

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JUN 15 2004
TECHNOLOGY CENTER/H3700

Sir:

Transmitted herewith is an amendment in the above-identified application.

- (XX) Small entity status was previously claimed in this application.
() A small entity statement is enclosed.
(XX) A filing fee for extra claims does not appear required.
() A filing fee for extra claims is calculated below:

	No. of Claims Remaining After Amendment	Highest No. of Claims Previously Paid For	No. of Extra Claims	Fee For Small Entity Rate	Fee	Fee For Other Than Small Entity Rate	Fee
Total	20	20	0	x \$ 9 = \$		x \$18 = \$	
Indep.	2	3	0	x \$42 = \$		x \$84 = \$	
() First Presentation of Multiple Dependent Claims				+ \$140 = \$		+ \$280 = \$	
				TOTAL = \$		TOTAL = \$	

(XX) It is hereby petitioned that any required extension of time be granted for filing the amendment. An extension of 3 month(s) having a fee of \$ 475.00 appears required.

(XX) A check in the amount of \$ 475.00 is attached. Please credit any overpayment to Deposit Account 16-2563 of Alix, Yale & Ristas, LLP.

The Commissioner is hereby requested and authorized to charge Deposit Account 16-2563 of Alix, Yale & Ristas, LLP, for any fee, not enclosed herewith, due for any reason in connection with the amendment or this or any other document accompanying the amendment, including (a) any filing fees under 37 CFR 1.16 for the presentation of extra claims and (b) any patent application processing fees under 37 CFR 1.17. A duplicate copy of this sheet is attached.

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Mailing Certificate

I hereby certify that this correspondence is being deposited on the date given below with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450".

Date: June 3, 2004

Thomas J. Menard, Reg. No. 42,877

Appl. No.: 10/069,081
Amdt. dated June 3, 2004
Reply to Office Action of December 4, 2003



Appl. No. : 10/069,081
Applicant : David Foster et al
Filed : 08/12/2002
Title : Orthopaedic Bone Cement Mixing Container

TC/A.U. : 3728
Examiner : Bui, Luan Kim

Docket No. : DHN/322/PC/US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Response to Official Action

In response to the Office Action mailed December 4, 2003, Applicant respectfully requests entry and consideration of the following amendment and remarks:


Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

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